

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1959 OF 2007
IN
FIRST APPEAL NO.2691 OF 2007
IN
MUNICIPAL APPEAL NO.235 OF 1998**

The Municipal Corporation of Greater Mumbai .. Applicant
v/s.
Powai Park Co-operative Housing Society Limited .. Respondents

ALONGWITH

**CIVIL APPLICATION NO.1961 OF 2007
IN
FIRST APPEAL NO.2692 OF 2007
IN
MUNICIPAL APPEAL NO.236 OF 1998**

The Municipal Corporation of Greater Mumbai .. Applicant
v/s.
Powai Park Co-operative Housing Society Limited .. Respondents

ALONGWITH

**CIVIL APPLICATION NO.1963 OF 2007
IN
FIRST APPEAL NO.2693 OF 2007
IN
MUNICIPAL APPEAL NO.237 OF 1998**

The Municipal Corporation of Greater Mumbai .. Applicant
v/s.
Powai Park Co-operative Housing Society Limited .. Respondents

ALONGWITH

**CIVIL APPLICATION NO.1965 OF 2007
IN
FIRST APPEAL NO.2694 OF 2007
IN
MUNICIPAL APPEAL NO.238 OF 1998**

The Municipal Corporation of Greater Mumbai .. Applicant
v/s.
Powai Park Co-operative Housing Society Limited .. Respondents

Mr. J.J. Xavier for the applicant.
Mr. Johnson John for the respondents.

**CORAM : ABHAY S. OKA, J.
DATED : 29TH NOVEMBER, 2007**

P.C.

Rule. Advocate for the respondents waives service.
Taken up for hearing forthwith.

2. Considering the nature of the impugned order, grant of stay will amount to granting final relief in appeal. Hence, prayer for stay cannot be granted. Application is, accordingly, rejected.

It is, however, clarified that the adjustment which is required to be made by the applicant-Corporation in terms of the impugned order will be subject to final outcome of the appeal.

ABHAY S. OKA, J.